

LAW OFFICE OF  
**HARRY KRESKY**

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October 3, 2000

BY FAX AND REGULAR MAIL

Lawrence Noble, Esq.  
General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Re: MUR 5102

Dear Mr. Noble:

The above MUR was filed on September 25, 2000 and a supporting affidavit was forwarded for submission today. Copies of the documents are enclosed.

On October 8, 2000 CBS TV is staging a debate in New York City between U.S. Senate candidates Hillary Clinton and Rick Lazio. As the enclosed affidavit of Sarah Lyons makes clear, the station has not established "pre-existing objective criteria" as required under 11 CFR Sec. 110.13.

As you are aware, the procedures for an MUR are such that it will not impact directly on the October 8, 2000 debate. However, 2 U.S.C. Sec. 437g(a)(6) gives the Commission power to seek immediate injunctive relief.

It is hereby requested that you take the necessary steps for the Commission to intervene in a timely and effective manner into this situation, including but not limited to an application for a preliminary injunction.

Very truly yours,



Harry Kresky

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